

# MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION

## Official Minutes January 11, 2006

### TABLE OF CONTENTS

#### **COMMISSION/DIRECTOR ITEMS**

Closed Meeting -----	3
Approval of Minutes, Regularly Scheduled Highways and Transportation Commission Meeting, December 2, 2005, Fax Ballot Action August 30, 2005, and Fax Ballot Action October 20, 2005 -----	3
Consent Agenda -----	4
Reports of Commission Committees and Commission Related Boards -----	5
Director's Report -----	5

#### **PUBLIC PRESENTATIONS**

Delegation – Metropolitan Congregations United -----	6
--	---

#### **MODOT STAFF ITEMS**

Risk Management Annual Report -----	10
Restrain Yourself Contest, Arrive Alive Highway Safety Program -----	11
Employee Advisory Council Update -----	12

#### **ADMINISTRATIVE RULES**

Notice of Amended Rulemaking, 7CSR 10-26, Arbitration and Mediation of Construction Disputes -----	13
Notice of Amended Rulemaking, 7CSR 10-14, Adopt-A-Highway Program -----	14

#### **STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM**

2006 – 2010 Statewide Transportation Improvement Program, 2006 Amendment -----	14
---	----

#### **ROADWAY LOCATION AND/OR DESIGN APPROVAL**

Location and/or Design of Highways, Route 36, Macon, Shelby and Marion Counties -----	15
Roadway Location and/or Design Approval -----	17

#### **RATIFICATION OF APPROVAL OF RIGHT OF WAY PLANS**

Ratification of Approval of Right of Way Plans for Condemnation -----	19
---	----

#### **INNOVATIVE FINANCE**

City of Poplar Bluff and U.S. Highway 67 Transportation Corporation, Authorization to enter into Cooperative Agreement -----	20
---	----

U.S. Highway 36 Interstate 72 Corridor Transportation Development District, U.S. Highway 36 Interstate 72 Transportation Corporation, Appointment of an Advisor and Approval of the Project -----	21
Hawthorne Transportation Development District, Appointment of an Advisor and Approval of the Project -----	22

## **CONTRACT AWARDS**

Consideration of Bids on Federal-Aid and State Projects -----	23
---	----

## **BUSINESS ISSUES**

Transportation Enhancement Program -----	29
Medical and Life Insurance Plan, Transplant Insurance Contract Renewal -----	29
Contract Exceeding \$200,000, Concrete Bridge Approach Repairs -----	30

## **PROPERTY RIGHTS**

Break in Access, Route 100, St. Louis County-----	31
Exchange of Property, Columbia Maintenance Facility, Boone County -----	31
Disposal of Capital Improvement Property, Kahoka Maintenance Lot, Clark County -----	32
Disposal of Excess Property, Route 40, Jackson County -----	32
Disposal of Excess Property, Route 291, Jackson County -----	33

## **--REPORTS--**

MoDOT Financial Report – Fiscal Year 2006 -----	34
Design/Bridge Engineering Consultants – As of November 30, 2005 -----	34

**MEETING WITH STAFF MEMBERS OF MISSOURI'S  
CONGRESSIONAL DELEGATION, JANUARY 10, 2006**

On January 10, 2006, all Commission members were present to observe a presentation by Director Pete Rahn to staff members of Missouri's Congressional Delegation. The presentation explained the process required by state and federal statutes regarding use of federally earmarked funds.

The meeting participants asked the MoDOT staff to increase its efforts to communicate the impact of earmarking specific projects as such proposals are being considered.

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**MINUTES OF REGULARLY SCHEDULED HIGHWAYS AND  
TRANSPORTATION COMMISSION MEETING HELD IN  
JEFFERSON CITY, MISSOURI, ON WEDNESDAY, JANUARY 11, 2006**

A regularly scheduled meeting of the Missouri Highways and Transportation Commission held on Wednesday, January 11, 2006, in Jefferson City, Missouri, was called to order at 9:30 a.m. by Marjorie B. Schramm, Chairman. The following Commissioners were present: Bill McKenna, Vice Chairman, James B. Anderson, Duane S. Michie, Mike Kehoe, and David A. Gach.

The meeting had been called pursuant to Section 226.120 of the 2000 Revised Statutes of Missouri, as amended. The Secretary verified that notice of the meeting was posted in keeping with Section 610.020 of the 2000 Revised Statutes of Missouri, as amended.

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Pete Rahn, Director of the Missouri Department of Transportation, Rich Tiemeyer, Chief Counsel for the Commission, and Mari Ann Winters, Secretary to the Commission, were present on Wednesday, January 11, 2006.

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*"Department" or "MoDOT" herein refers to Missouri Department of Transportation.  
"Commission" or "MHTC" herein refers to Missouri Highways and Transportation Commission.*

## **CLOSED MEETING**

The agenda of the closed meeting was posted in keeping with Sections 610.020 and 610.022, RSMo., including the following statutory citations allowing the meeting to be closed:

1. Section 610.021(11), (12) – Specifications for competitive bidding, sealed bids, or negotiated contracts.
2. Section 610.021(1) – Legal actions and attorney-client privileged communications.
3. Section 610.021(3), (13) – Personnel administration regarding particular employees.

Immediately prior to closing its meeting, and upon motion duly made and seconded to convene in closed session, the Chairman asked for a voice vote of the members. The vote was as follows:

Commissioner Schramm, Aye  
Commissioner McKenna, Aye  
Commissioner Michie, Aye  
Commissioner Anderson, Aye  
Commissioner Kehoe, Aye  
Commissioner Gach, Aye

whereupon the Commission closed its meeting.

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## **APPROVAL OF MINUTES, REGULARLY SCHEDULED HIGHWAYS AND TRANSPORTATION COMMISSION MEETING HELD IN KANSAS CITY, MISSOURI, ON FRIDAY, DECEMBER 2, 2005; FAX BALLOT ACTION ON AUGUST 30, 2005, AND FAX BALLOT ACTION ON OCTOBER 20, 2005**

Upon motion by Commissioner Michie, seconded by Commissioner McKenna, the Commission unanimously approved the minutes of its December 2, 2005, regularly scheduled meeting, August 30, 2005, fax ballot action, and October 20, 2005, fax ballot action. The Chairman and Secretary to the Commission were authorized and directed to sign and certify said minutes and to file same in the office of the Secretary.

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## **CONSENT AGENDA**

### **Consent Agenda Process**

In order to make the most efficient use of Commission meeting time and to ensure the Commission members are well informed on issues requiring their action, the staff prepares and submits to the Commission members, in advance of their meeting, internal memoranda consisting of advice, opinions, and recommendations related to the items on the Commission meeting agenda. Those items considered by the staff to be of a routine or noncontroversial nature are placed on a consent agenda. During the meeting, items can be removed from the consent agenda at the request of any one Commission member. The items that are not removed from the consent agenda are approved with a single motion and unanimous vote by a quorum of the members.

Minutes reflecting approval of items on the consent agenda are singly reported herein and intermingled with minutes reflecting action on related subjects that were openly discussed. Reference to "consent agenda" is made in each minute approved via the process described in the paragraph above. Minutes reflecting action on items removed from the consent agenda and openly discussed reflect the open discussion and vote thereon.

### **Consideration of January 11, 2006, Consent Agenda**

Consent Agenda Item 6a, "Innovative Finance—City of Poplar Bluff and U.S. Highway 67 Transportation Corporation, Authorization to Enter into Cooperative Agreement," was removed from the January 11, 2006, consent agenda, by the staff for consideration on the regular agenda. Upon motion by Commissioner McKenna, seconded by Commissioner Gach, the remaining items on the consent agenda were unanimously approved.

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## **REPORTS OF COMMISSION COMMITTEES AND COMMISSION RELATED BOARDS**

The Commission has two committees: Audit Committee and Legislative Committee. In addition, it elects Commission representatives to two boards: Missouri Transportation Finance Corporation Board of Directors and MoDOT and Patrol Employees' Retirement System Board of Trustees.

### **Legislative Committee**

Commissioner McKenna reported that Senator Bill Stouffer had been named Chairman of the Senate Transportation Committee; Representative Neal St. Onge will continue as Chairman of the House Transportation Committee.

The annual Transportation Conference hosted by the Missouri Chamber of Commerce, Missouri Farm Bureau, and MoDOT will be held in Jefferson City on January 26, 2006.

### **MoDOT and Patrol Employees' Retirement System Board of Trustees**

Commissioner Anderson reported that the work of the State Retirement Consolidation Commission had been extended beyond its original December 31, 2005, conclusion date to allow time for cost-benefit analysis information to be prepared and reviewed.

The retirement fund balance is \$1.52 billion, which represents a 10.75 percent return for the year and a 14.4 percent return over the last three years.

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### **MoDOT DIRECTOR'S REPORT**

Director Pete Rahn shared the following three items with the Commission.

**Economic Impact of Transportation Projects** – Director Rahn advised the Commission that MoDOT staff has sought the expertise of the Department of Economic Development to determine the economic impact of specific transportation projects, as well as the overall impact of the current Statewide Transportation Improvement Program. Using the Regional Economic Models, Inc., (REMI) model for its analysis, the Department of Economic Development concluded that each dollar invested in the STIP would produce \$5 in new value added to Missouri's economy. In addition, he emphasized that an analysis of a new Mississippi River Bridge at St. Louis resulted in an astounding \$16 economic return for each dollar invested in the project.

**Communication Tools** – Director Rahn complimented Community Relations Director Shane Peck and his staff for preparing a small card containing vital facts about transportation in Missouri. He provided a copy of *Fast Facts* to each Commissioner.

**Safe Access Team** – Director Rahn commended Eileen Rackers, State Traffic Engineer, and other members of the Safe Access Team, which had been formed to review the design of Route 36 at South Shelby High School. He stated that the team’s recommendation for a design change at South Shelby High School was a product of dedication and commitment to safety. He emphasized his expectation of results from any team formed to address a specific issue.

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## **DELEGATION - METROPOLITAN CONGREGATIONS UNITED**

State Representative Yaphett El-Amin stated that it was the desire of several community organizations in the St. Louis metropolitan area (Metropolitan Congregations United, ACORN, Construction Prep Center, St. Louis Job Corps, MoKan, and Minority Inclusion Alliance) to partner with the Department of Transportation in the construction of the \$535 million Route 64/40 project in St. Louis. She noted that the best way to stabilize the community and rid it of crime is to employ those who live there.

Representative El-Amin asked the Commission to provide funding and a mechanism for the community to train its people so they can work on the Route 64/40 project. More specifically, she asked the Commission to:

1. Establish a minimum 30 percent minority work force goal on the project.
2. Establish a minority work force program, including monitoring, to implement the goal and provide accountability.
3. Require a minority work force plan for implementation of the work force goal in the Request for Proposal for the Route 64/40 project.
4. Issue a Request for Proposal for the external outreach and monitoring for minority inclusion.
5. Set aside at least \$2 million from the project for training in keeping with the provisions of the federal Transportation Act which allows 1/2 of 1 percent of federal highway funds to be set aside for this purpose.

Rev. Tommie Pierson, president of Metropolitan Congregations United (MCU), stated that his organization represented 70 congregations totaling over 100,000 people from the



St. Louis metropolitan region. Appearing with the delegation from MCU were representatives of More Square from Kansas City, United Congregation of Metro East, and Youth Build.

Rev. Pierson stated that MCU's mission was to work for racial and economic equality. He said that communities thrive when there are good schools, good businesses, and viable employment opportunities.

Rev. Pierson stated that training and employment opportunities were essential for the people in the St. Louis metropolitan region and the state of Missouri. He asked the Commission to favorably consider the requests stated above by Representative El-Amin.

Ms. Shelia Pargo, member of North Minister Presbyterian Church and the MCU executive committee, said the federal transportation bill enacted in 2005 allocated \$286 billion to transportation. She stated that, according to the U.S. Department of Transportation, each billion dollars produces 47,500 jobs.

Ms. Pargo said that as a result of efforts of MCU and associate organizations, enabling legislation was included in the 2005 federal transportation bill that allows work force development agreements to be used on highway construction projects. She noted that since the legislation did not mandate work force development agreements, the delegation was appealing to the Commission to use the Route 64/40 project as a model for creating jobs and opportunities. She emphasized that the Route 64/40 project provides an opportunity for thousands of St. Louis and Metro East residents to move into good paying construction careers.

Father Richard Creason, pastor of Holy Trinity Catholic Church in north St. Louis City and a past president of MCU, said in an effort to halt the rise in unemployment among the economically disadvantaged in St. Louis and to avoid past experience where construction work in the St. Louis area was performed by workers who were mainly white and/or lived in states

other than Missouri, the MCU had formulated a three-point platform to benefit the St. Louis metropolitan area and the entire state. He asked for favorable consideration of the following:

1. Ensure that 30 percent of work hours are completed by apprentices who are both local residents and eligible to receive an earned income tax credit.
2. Use ½ of 1 percent of federal highway dollars to support an apprentice training and incentive program. He noted that while Congress had enacted legislation allowing use of federal highway dollars for this purpose, to date Missouri had not done so. He stated that the funds were needed as incentives for contractors and unions to use apprentices on the job.
3. Apply the criteria above to the Route 64/40 project and the anticipated project to construct a new Mississippi River Bridge in St. Louis.

Rev. Creason asked the Commission not to request proposals on the Route 64/40 project until agreement on the above items had been reached.

Mr. Gary Evans, member of Holy Trinity Catholic Church, relayed his personal testimony reflecting a life-changing experience resulting from training opportunities available to him through the Construction Prep Center. He stated that he had accompanied the delegation in an effort to increase opportunities for others to improve their quality of life.

Ms. Linda Dopugh presented the Commission with over 3,000 cards expressing support for the delegation's platform. She also noted that the delegation had received indications of support from St. Louis Mayor Francis Slay, St. Louis County Executive Charlie Dooley, State Senators Pat Dougherty and Rita Days, and State Representatives Yaphett El-Amin and Connie Johnson.

Rev. Pierson concluded the presentation by stating that using the Route 64/40 project as a pilot apprenticeship training program would result in a stronger work force at a reduced cost, in addition to providing employment opportunities throughout Missouri.

Director Rahn stated that MoDOT was committed to maximizing participation of the economically disadvantaged in the Route 64/40 project. Toward that end, he reported that (1)

community liaison positions had been established in the Kansas City and St. Louis MoDOT districts to interface between the community and MoDOT on minority issues and (2) the MoDOT staff was searching for successful projects in other states that could use as models for maximizing minority disadvantaged individual participation in highway construction projects. In addition, Mr. Rahn reported that MoDOT had acquired the services of Julie Cunningham, Executive Director of the National Conference on Minority Transportation Officials in Washington, D.C., to facilitate meetings among community organizations, union representatives, and the design-build teams to define a program that will maximize minority participation on the Route 64/40 project. Mr. Rahn said MoDOT wanted increased minority participation in the Route 64/40 project, and he assured the group that MoDOT would be making its largest effort to date toward that end.

Director Rahn stated that delaying release of the Request for Proposal for the Route 64/40 project might not be feasible. He said in absence of an overall plan, which he hoped would be the outcome of meetings among the entities noted above, he was unprepared to make a recommendation regarding the level of funding for training programs.

Each of the Commission members expressed support for increased participation in the Route 64/40 project by the economically disadvantaged in order to build a stronger community, increase economic development, and increase quality of life. They assured the delegation that Director Rahn was innovative and would be leading the effort to obtain consensus on a program to address the concerns of the delegation.

Representatives of the delegation scheduled a meeting with Director Rahn to discuss the issue further.

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## **RISK MANAGEMENT ANNUAL REPORT**

On behalf of the Director, Beth Ring, Risk Management Director, provided an annual report of risk management efforts underway at MoDOT. She noted that MoDOT is self-insured for its workers' compensation, fleet liability, and general liability programs. In addition, the Risk Management Division is responsible for collecting amounts due as a result of damage to MoDOT property.

### **Workers' Compensation**

Ms. Ring reported that in spite of rising medical care costs and increased demands on MoDOT employees, workers' compensation payments were lower in 2005 than in the prior four years.

### **General Liability Program**

Ms. Ring stated that General Liability Program expenditures for 2005 have been estimated at \$18 million, which significantly exceeds the cost experienced in the prior four years. She explained that the potential increase is the result of lawsuits filed prior to the effective date of tort reform legislation increasing joint and several liability to instances where MoDOT is found to be 51 or more percent at fault, rather than 1 percent. While she noted that these lawsuits could result in a short-term negative impact on the General Liability Program, the tort reform measures will have a positive long-term impact. Ms. Ring emphasized that if the \$18 million estimate, which was based on very little information, is realized, it will create an under-funded situation of approximately \$10 million. She recommended action regarding funding be delayed until consideration of the 2007 budget in order for staff to review an updated actuarial study and work with the Chief Counsel's office on a more detailed analysis of the allegations in the lawsuits.

### **Fleet Liability Program**

Ms. Ring stated that the MoDOT staff does a very good job of managing its Fleet Liability Program. Liability and expenses associated with this program total approximately \$1.5 million per year.

### **Property Damage Recovery**

Ms. Ring reported that MoDOT aggressively pursues collection from the traveling public of amounts due MoDOT as a result of damage to its property. Three million dollars were recovered in 2005.

### **Lost Work Days**

Ms. Ring noted that 3,000 lost work days occurred in 2005 as a result of work place injuries. She advised the Commission that on January 1, 2006, MoDOT implemented statewide pre-employment, post-offer work simulation physicals in an effort to ensure that employees are physically able to safely perform the activities of their jobs. The staff is continuing its emphasis on the employee's responsibility to use the tools available to them, such as safety belts, in order to perform their jobs safely.

Mr. Rahn emphasized that 3,000 lost work days was unacceptable and the staff would be continuing to pursue initiatives to lower that number.

The Commission thanked Ms. Ring for the report and commended her and her staff on risk management efforts to date.

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### **RESTRAIN YOURSELF CONTEST, ARRIVE ALIVE HIGHWAY SAFETY PROGRAM**

On behalf of the Director, Leanna Depue, Highway Safety Director, reported that traffic crashes among teens is a serious problem in Missouri. Teens represent 11 percent of Missouri's licensed drivers and are involved in 29 percent of the traffic crashes. In the last three years,

5,600 teen drivers and passengers were seriously injured and 597 were killed in traffic crashes. Seventy-eight percent, or eight out of ten, of those killed in traffic crashes were not wearing a safety belt. A survey of 150 high schools found that teen usage of safety belts is only 56 percent compared to the statewide average of 77 percent.

Dr. Depue reported that MoDOT had partnered with Missouri Coalition for Roadway Safety, Missouri State Medical Association, Missouri Safety Council, and State Farm Insurance to sponsor a Restrain Yourself contest where high school students could win cash prizes for developing videos to encourage teens to buckle their safety belts. The Commission viewed the videos prepared by the top three contest winners: Sikeston Career and Technology Center-grand prize winner; Morgan County Highway School-first runner-up; and Lee's Summit West High School-second runner-up.

Dr. Depue reported that the MoDOT staff is committed to increasing safety belt usage among teens. They are currently seeking local and county law enforcement and will be targeting a media campaign using the videos noted above.

The Commission commended the efforts of the teens in preparing the videos and the MoDOT staff for its efforts to increase the safety of Missouri travelers.

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## **EMPLOYEE ADVISORY COUNCIL UPDATE**

On behalf of the Director, Brenda Treadwell-Martin, Equal Opportunity Director, reported that an Employee Advisory Council had been established within MoDOT to provide a positive and productive work environment for employees. The council serves as a sounding board for new ideas, challenging situations, and future opportunities for MoDOT. Council members Deanna Venker, April Fohey, Randy Morris, and Terry Smith reported on the council's

purpose, membership, council involvement, and communications. The group advised the Commission that its 25 members, located throughout the state, meet for approximately 1-1/2 days per month. To date the council has received over 90 employee concerns about issues such as personnel, job study, salary, salary equity, highways, and safety. These concerns and the council's responses thereto can be viewed by MoDOT employees on MoDOT's Intranet website.

The Commission commended the staff for forming the council and commended the council members for their efforts to date.

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#### **NOTICE OF AMENDED RULEMAKING, 7 CSR 10-26, ARBITRATION AND MEDIATION OF CONSTRUCTION DISPUTES**

On behalf of the Director, Dave Ahlvers, State Construction and Materials Engineer, presented to the Commission Administrative Rules 7 CSR 10-26, Arbitration and Mediation of Construction Disputes, which is necessary to reflect the revised monetary cap on construction claims eligible for mandatory binding arbitration by the Price Deflator for Personal Consumption Expenditures. A new monetary cap is calculated on an annual basis pursuant to Subsection 1 of Section 226.096, RSMo, and becomes effective the first of January each year. He shared that the amended rulemaking will also eliminate the need to file amended rulemaking each year to calculate a new monetary cap; the current amount is \$335,118. He recommended (1) the Secretary to the Commission be authorized to file the amended rulemaking with the Joint committee on administrative rules and the Office of the Secretary of State and (2) that the Director, Chief Engineer, or Chief Financial and Administrative Officer be authorized to execute any document appropriate and necessary for initiating this rulemaking process.

Via approval of the consent agenda, the Commission, by unanimous vote of all members present, approved the recommendations.

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## **NOTICE OF AMENDED RULEMAKING, 7 CSR 10-14, ADOPT-A-HIGHWAY PROGRAM**

On behalf of the Director, Jim Carney, State Maintenance Engineer, presented to the Commission Administrative Rules 7 CSR 10-14, Adopt-A-Highway Program, which is necessary to update and clarify Adopt-A-Highway program regulations as desired by program coordinators to account for MoDOT restructuring to improve adoption procedures and operations and to eliminate burdensome extraneous requirements. He recommended (1) the Secretary to the Commission be authorized to file the amended rulemaking with the Joint committee on administrative rules and the Office of the Secretary of State and (2) that the Director, Chief Engineer, or Chief Financial and Administrative Officer be authorized to execute any document appropriate and necessary for initiating this rulemaking process.

Via approval of the consent agenda, the Commission, by unanimous vote of all members present, approved the recommendations.

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## **2006 – 2010 STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM, 2006 AMENDMENT**

On behalf of the Director, Machele Watkins, Transportation Planning Director, recommended that seven new construction projects totaling \$7,767,000 be added to the 2006-2010 Statewide Transportation Improvement Program, as listed below.

### **Highway and Bridge Construction**

<b>County</b>	<b>Route</b>	<b>Job No.</b>	<b>Description of Location/Improvement</b>
Osage	50	J5P0832	Right of way acquisition for resurfacing and stabilizing shoulders on three disconnected sections from 0.9 mile east of Cole/Osage County line east to just west of Route 100. (Tentative Award Date-2007)
St. Charles	70	J6I1531	Construct auxiliary lane westbound only from east of T. R. Hughes to Route 79. Project is partially funded by CMAQ funds. (Tentative Award Date-2006)



St. Louis	Various	J6I1797	Replaced aged structural signs at various locations. (Tentative Award Date-2006)
St. Louis	340	J6S1990	Signal upgrades on Route 340 from I-270 to I-170, on Route D from Route 67 to I-170 on Route 100 from Big Ben Road to McKnight Road, on Route 67 from Quailways Drive to Litzinger Road and on I-170 from Route D to Ladue Road. (Tentative Award Date-2007)

#### **Rail Crossing Construction Added**

<b>County</b>	<b>Route</b>	<b>District</b>	<b>Description of Location/Improvement</b>
Monroe	EE	3	Install flashing light signals and gates. (Tentative Award Date-2006)
Marion/Ralls	County Road 429	3	Install flashing light signals and gates. (Tentative Award Date-2006)
Chariton	Newhall Road	2	Install flashing light signals and gates at Newhall; Close crossing at Lost Quarter Avenue. (Tentative Award Date-2006)

Via approval of the consent agenda, the Commission, by unanimous vote of all members present, approved the recommendations.

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#### **ROADWAY LOCATION AND DESIGN, ROUTE 36**

On behalf of the Director, Kirk Juranas, District Engineer, District 3, recommended approval of the following location and design as presented at the public hearing with the noted modification to provide a grade-separated intersection for access to South Shelby School.

**Route 36, Macon, Shelby, and Marion Counties  
From east of Macon to 0.4 mile west of the Marion/Ralls County Line  
Job No. J2P0482, J3P0409, J3P0409C, and J3P0410  
Public Hearings Held September 8, 2005,  
and October 18, 2005**

This proposed improvement will add two new lanes, with bridges, adjacent to the existing two-lane roadway thereby upgrading Route 36 to a four-lane expressway. New construction will consist of two 12-foot lanes with 10-foot outside and 4-foot inside shoulders. Controlled access will be obtained for new right of way; normal access will be maintained on existing right of way. Traffic will be maintained on the existing lanes of Route 36 during construction. Route 151 will be closed during construction of a new bridge over Route 36; a temporary bypass will be provided for Route 151 traffic. The project length is 40.6 miles.

Mr. Juranas stated that Commission approval of the location and design of this project would assure its completion by 2010. He pointed out that this major cost-share project would complete the four-lane upgrade of Route 36 across northern Missouri, and he commended the local area for financially participating in the project.

Eileen Rackers, State Traffic Engineer, reported that as a result of concerns from the local community about the safety of inexperienced drivers and school buses accessing Route 36 from an at-grade intersection, as originally proposed, the Director had formed a Safe Access Team to evaluate options for providing access to Route 36 at South Shelby School. She reported that the team presented five options at a public meeting on December 20, 2005, including the design to elevate the new westbound lanes to allow traffic entering and exiting the eastbound lanes of Route 36 to pass under the westbound lanes. Entrance and exit ramps or lanes will be constructed to access the westbound lanes. Ms. Rackers reported that the option described was supported by an overwhelming majority of those attending the public meeting. She pointed out that the access modification would bring the Route FF and county road access together, thereby eliminating one crossover.

Ms. Rackers said the revised access would cost \$2 million to \$2.5 million more than the previously proposed at-grade intersection. Since there is no additional money for the project, she said MoDOT would be looking for other ways to save money on the project design and seeking financial participation in the project from the county and the school.

The Commission commended Ms. Rackers, other members of the Safe Access Team, and the MoDOT staff on its innovative solution to the citizens concerns presented to the Commission at its September 9, 2005, meeting.

Upon motion by Commissioner Anderson, seconded by Commissioner Kehoe, the Commission unanimously approved the location and design as presented at the public hearing with a modified grade-separated intersection at South Shelby School.

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## **ROADWAY LOCATION AND DESIGN**

On behalf of the Director, District Engineers informed the Commission that preliminary plans and exhibits for the following projects were presented at a public hearing.

**Route 63, Adair County**  
**From the south intersection of Route 63 and**  
**Route 11 to the existing four-lane highway**  
**1.0 mile south of Millard**  
**Job No. J2P0747**

**Public Hearing Held November 16, 2005**

This proposed improvement will add two new southbound lanes west of the existing two-lane roadway. New construction will consist of two 12-foot lanes with ten-foot outside and four-foot inside shoulders. This project will have controlled access right of way. Traffic will be maintained over the existing roadway during construction. The project is 4.5 miles in length.

Mr. Dan Niec, District 2 Engineer, recommended approval of the location and design as presented at the public hearing.

**Route 54, Camden and Miller Counties**  
**Job Nos. J5P0648A/B, J5P0309A, and J5P0347A**  
**Public Hearing Held November 1 and 3, 2005**

This proposed improvement provides a new four-lane divided roadway on new location, with interchanges, from Business 54 to 1.3 miles west of Route KK. The improvement will be constructed with 12-foot lanes and ten-foot shoulders. The project will have controlled access right of way. Traffic will be maintained on the existing roadway during construction. The project length is 8.7 miles.

Mr. Roger Schwartze, District 5 Engineer, recommended approval of the location and design as presented at the public hearing.

**Route 135, Cooper County  
1.0 mile south of Route N South Junction  
Job No. J5S0516**

**No Public Hearing Held**

This proposed improvement provides a new two-lane roadway and bridge over the Lamine River adjacent to the existing roadway. New construction will consist of two 11-foot lanes with two-foot aggregate shoulders. The new bridge width will be 26 feet. This project will have normal access right of way. Traffic will be maintained over the existing roadway during construction. The project is 0.9 mile in length.

Mr. Roger Schwartze, District 5 Engineer, recommended approval of the location and design as advertised for public hearing.

**Route 364, St. Louis County  
I-270 Interchange  
Job No. J6U1045B**

**Public Hearing Held November 15, 2005**

This proposed improvement provides for a fly-over ramp from northbound I-270 to westbound Route 364, addition of auxiliary lanes along northbound I-270 from north of Route 340 to Route 364 and reconstruction of the north to east, west to south, and south to west ramps at the interchange. The fly-over ramp will have two 12-foot lanes, a four-foot inside shoulder, and a ten-foot outside shoulder. Other outside shoulders will be ten feet. This project will have fully controlled right of way. Traffic will be handled by temporary bypasses and staged construction. The project is 1.1 mile in length.

Mr. Ed Hassinger, District 6 Engineer, recommended approval of the design of the interchange as presented at the public hearing.

**Business Loop 44, Laclede County  
From Ivey Lane to Industrial Drive in Lebanon  
Job No. J8U0576**

**Public Hearing Held November 17, 2005**

This proposed improvement relocates the westbound I-44 ramps to east of the existing bridge at a signalized intersection with Route W and Elm Street. This project will have fully controlled right of way. Traffic will be maintained on the existing lanes of I-44 during construction. The project is 0.4 mile in length.

Mr. Dale Ricks, District 8 Engineer, recommended approval of the location and design as presented at the public hearing.

**Route 72, Madison and Bollinger Counties**  
**0.4 mile east of Castor River to 0.6 mile west of Route 51**  
**Job No. J0P0847**

**Public Hearing Held November 3, 2005**

This proposed improvement includes widening, resurfacing and shoulder paving and part relocation on new alignment at two separate locations in Bollinger County. This project will have normal access right of way. Traffic will be maintained over the existing roadway and a temporary bypass during construction. This project is 8.3 miles in length.

Mr. Mark Shelton, District 10 Engineer, recommended approval of the location and design as presented at the public hearing.

After full consideration, of the favorable and adverse economic, social, and environmental effects of the recommended designs, the Commission, via approval of the Consent Agenda, unanimously found and determined the recommended designs would best serve the interest of the public and approved the recommendations.

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**RATIFICATION AND APPROVAL OF RIGHT OF WAY PLANS FOR  
CONDEMNATION**

On behalf of the Director, Dave Nichols, Director of Program Delivery, recommended the Commission ratify the approval of the Chief Engineer of the following right of way plans, which have been filed for condemnation.

<u>County</u>	<u>Route</u>	<u>Job Number</u>	<u>Date Commission Approved Design</u>
Taney	65	J8P0609	July 8, 2005
St. Clair	13	J7P0428	May 3, 2002 (1 <sup>st</sup> Amended)
St. Louis	367	J6U1085	September 6, 2002
Franklin	T	J6S1675	July 8, 2005

In accordance with Section 227.050 RSMo, the Commission, via approval of the Consent Agenda, approved the right of way plans for the above noted projects and directed they be filed as necessary for the condemnation of right of way.

\* \* \* \* \*

**CITY OF POPLAR BLUFF AND U.S. HIGHWAY 67 TRANSPORTATION CORPORATION, AUTHORIZATION TO ENTER INTO COOPERATIVE AGREEMENT**

On behalf of the Director, Mark Shelton, District 10 Engineer, and Kirk Boyer, Resource Management Director, recommended the Director, Chief Engineer, or Chief Financial/Administrative Officer be authorized to enter into a cooperative agreement with the City of Poplar Bluff and U.S. Highway 67 Transportation Corporation.

On December 10, 2004 the Commission approved the formation of the U.S. Highway 67 Transportation Corporation to facilitate the construction of two additional lanes of Highway 67 between Poplar Bluff and Fredericktown. The Commission approved the project subject to several conditions; one of the conditions required the Corporation and the Commission to enter into a mutually satisfactory Cooperative Agreement regarding the payment of the project costs. The City and the Corporation approved the proposed Cooperative Agreement on December 19, 2005, and December 22, 2005, respectively.

The City of Poplar Bluff approved a half-cent sales tax on April 5, 2005, dedicated to funding the cost of the project. The sales tax will remain in affect until the City and Corporation's financial obligations are satisfied. The City and Corporation will be responsible for 50 percent of the project construction costs with the Commission paying the remainder.

Via approval of the consent agenda, the Commission, by unanimous vote of all members present, approved the recommendations.

\* \* \* \* \*

**U.S. HIGHWAY 36 INTERSTATE 72 CORRIDOR TRANSPORTATION  
DEVELOPMENT DISTRICT, U.S. HIGHWAY 36 INTERSTATE 72  
TRANSPORTATION CORPORATION, APPOINTMENT OF AN ADVISOR AND  
APPROVAL OF THE PROJECT**

On behalf of the Director, Kirk Juranas, District 3 Engineer, and Kirk Boyer, Resource Management Director, presented the following U.S. Highway 36 Interstate 72 Corridor Transportation Development District proposed transportation projects:

Construction of approximately 52 miles of two additional lanes on U.S. Highway 36 from approximately eight miles west of Hannibal to Macon to achieve a four-lane expressway, including without limitation:

1. Design.
2. Engineering.
3. Land acquisition (including without limitation settlement and transfer fees, relocation costs, taxes and surveys).
4. Demolition, earthwork, erosion control (including without limitation paving, storm sewers, storm drainage, water systems, and retention basins).
5. Relocation of utilities as necessary (including without limitation sanitary sewer, gas, electric, telephone and fiber optic cable).
6. Environmental engineering, mitigation and abatement
7. Construction, replacement or installation of existing or new roadway surfaces, shoulders, signage, lighting and landscaping.
8. Construction financing.
9. Builder's risk insurance.
10. Professional fees and costs related to the creation and administration of the District.

Via approval of the consent agenda, the Commission unanimously (1) appointed the District 3 District Engineer as the Commission advisor to the U.S. 36 Interstate 72 Corridor Transportation Development District's board of directors and (2) found that the Commission's portion of the project was a necessary and desirable extension of the state highways and transportation system, subject to the Development District making any revisions in the plans and specifications required by the Commission and subject to the Development District entering into a mutually satisfactory agreement with the Commission regarding development and future maintenance of the project. In keeping with the Commission's Delegation of Authority to

Execute Documents, the Director, Chief Engineer, Chief Financial and Administrative Officer, or respective business unit director may execute the related agreements.

\* \* \* \* \*

## **HAWTHORNE TRANSPORTATION DEVELOPMENT DISTRICT, APPOINTMENT OF AN ADVISOR AND APPROVAL OF THE PROJECT**

On behalf of the Director, Beth Wright, District 4 Engineer, and Kirk Boyer, Resource Management Director, presented the following Hawthorne Transportation Development District proposed transportation projects:

1. Improvements to the intersection of Hawthorne Boulevard and Highway 13.
2. Relocation of the intersection of Hawthorne Boulevard and Simpson Drive to the east of Highway 13.
3. Grading, construction and improvement of Hawthorne Boulevard, Cooper Boulevard, Basswood Street, Northern Hills Drive and a street to be later named, referred to in the petition as "Thompson" within or adjoining the District.
4. Upgrading traffic signal and providing additional turn lane at Cooper Boulevard and Simpson Drive.
5. Improvements in the public right-of-way related to the foregoing transportation improvements.

Via approval of the consent agenda, the Commission unanimously (1) appointed the District 4 District Engineer as the Commission advisor to the Hawthorne Transportation Development District's board of directors and (2) found that the Commission's portion of the project was a necessary and desirable extension of the state highways and transportation system, subject to the Development District making any revisions in the plans and specifications required by the Commission and subject to the Development District entering into a mutually satisfactory agreement with the Commission regarding development and future maintenance of the project. In keeping with the Commission's Delegation of Authority to Execute Documents, the Director, Chief Engineer, Chief Financial and Administrative Officer, or respective business unit director may execute the related agreements.

\* \* \* \* \*



## CONSIDERATION OF BIDS ON FEDERAL-AID AND STATE PROJECTS

### Award of Contracts December 16, 2005 Bid Opening

On behalf of the Director, Dave Nichols, Director of Program Delivery, stated that bids for road and bridge improvement projects had been received on December 16, 2005.

Mr. Nichols, presented a tabulation of the bids received on all projects and recommended awards be made to the lowest responsive and responsible bidder noted below.

<b><u>Route County Project</u></b>	<b><u>Bid Amount</u></b>	<b><u>Non- Contractual Costs</u></b>	<b><u>Contractor</u></b>
<b>Call 101</b> N DeKalb J1S0823	\$776,390.09		Columbia Curb & Gutter Co. Columbia MO
<b>Call 103</b> V Nodaway J1L0600G 46 Atchison/Nodaway J1L0600J	1,244,646.41		Ideker, Inc. St. Joseph, MO
<b>Call 104</b> V Davies J1L0600F	343,439.57		Norris Asphalt Paving Co. Ottumwa, IA
<b>Call 105</b> 29 & 35 Various J1D0694E	539,185.83		James H. Drew Corporation Indianapolis, IN
<b>Call 106</b> 229 Andrew/Buchanan J1D0694D	93,963.10		James H. Drew Corporation Indianapolis, IN
<b>Call 201</b> 70 Various J2I0749	999,999.99		Collins & Hermann, Inc St. Louis, MO

<b>Call 401</b> 92 Clay J4P1116	2,648,795.07	656.00	L. G. Barcus and Sons, Inc. Kansas City, KS
<b>Call 402</b> C Cass J4L0600F	395,522.22	144.00	Superior Bowen Asphalt Co., L.L.C. Kansas City, MO
<b>Call 404</b> 210 Clay J4S1737	1,149,566.41	144.00	Superior Bowen Asphalt Co., L.L.C Kansas City, MO
<b>Call 405</b> 13 Lafayette J4P1739 Bus. 50 Johnson J4P1740	794,624.56	288.00	Hilty Quarries, Inc Clinton, MO
<b>Call 406</b> 18 Henry J4L0600A 58 Johnson J4P1667 23 Lafayette J4L0600G	500,701.09	432.00	Hilty Quarries, Inc. Clinton, MO
<b>Call 407</b> Various Various J4M0150	498,696.66	39,644.80	James H. Drew Corporation Indianapolis, IN
<b>Call 408</b> Various Various J1D0694B	198,806.49	3,528.70	James H. Drew Corporation Indianapolis, IN
<b>Call 501</b> Various Various J1D0694F	285,639.00	5,730.90	D & S Fencing Company Festus, MO

<b>Call 502</b>			
28	2,136,333.40		Chester Bross Const. Co./
Gasconade/Maries/Osage			C.B. Equipment, Inc.
J5L0600A			Hannibal, MO
<b>Call 601</b>			
44	2,605,683.85	698.00	Emery Sapp & Sons, Inc.
Franklin			Columbia, MO
J6I0977			
<b>Call 602</b>			
70	18,225,756.91	1,640.36	Fred Weber, Inc.
St. Charles			Maryland Heights, MO
J6I0950			
<b>Call 604</b>			
B	2,074,000.00	1,077.80	Pace Construction Company
Jefferson			St. Louis, MO
J6S1013			
<b>Call 605</b>			
A	5,228,715.13	1,341.28	Gaines Construction, Inc.
St. Charles			Wentzville, MO
J6S1600			
<b>Call 606</b>			
64/40	356,057.77		X-L Contracting, Inc.
St. Louis			Hazelwood, MO
J6I1898			
<b>Call 607</b>			
44	2,217,336.93	1,312.00	Knish Corporation
Franklin/St. Louis			Lonsdale, MO
J6D0600N			
<b>Call 608</b>			
Various	1,270,270.27		Collins & Hermann, Inc.
Various			St. Louis, MO
J1D0694C			
Various			
Various			
J6M0098			
<b>Call 701</b>			
44	6,500,000.00	656.00	Collins & Hermann, Inc.
Various			St. Louis, MO
J7I0791			

<b>Call 702</b> Various Various J1D0693C	3,499,947.00		James H. Drew Corporation Indianapolis, IN
<b>Call 801</b> 86 Taney J8S0823	2,500,000.00	2,144.00	Thomas Industrial Coatings, Inc. Pevely, MO
<b>Call 803</b> Various Greene J8P0826	404,042.00		Mill Valley Construction, Inc. Shawnee Mission, KS
<b>Call 804</b> Various Various J8P0822	408,603.00	1,312.00	Mill Valley Construction, Inc. Shawnee Mission, KS
<b>Call 805</b> 465 Taney J8P0831	197,966.50	656.00	Hartman and Company, Inc. Springfield, MO
<b>Call 806</b> 14 Christian/Douglas J8L0600B	639,121.32	12,796.00	Leo Journagan Construction Co., Inc. Springfield, MO
<b>Call 901</b> 44 Phelps J9I0525	16,121,357.85	1,622.30	Gaines Construction, Inc. Wentzville, MO
<b>Call 902</b> 142 Ripley J9L0600E	191,344.80		Pace Construction Company St. Louis, MO
<b>Call 903</b> V Wayne J0L0500K BL 60 Carter J9L0600R E - Ripley J9L0700N	758,317.05		Pace Construction Company St. Louis, MO

**Call X02**

D Cape Girardeau J0S0932	92,181.60*	200.00	Cotner Electric Co. Cape Girardeau, MO
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**Call X03**

72 Bollinger J0P0889	1,513,457.85	656.00	Joe's Bridge & Grading, Inc. Poplar Bluff, MO
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**Call X04**

WW Dunklin J0L0600C H Dunklin J0L0600F J Dunklin J0L0600G 62 Dunklin J0L0600I	970,911.75		Pace Construction Company St. Louis, MO
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**Call X05**

W New Madrid/Pemiscot J0L0600B B New Madrid J0L0600D EE Dunklin J0L0600K 153 New Madrid J0L0600L J New Madrid J0L0600M 162 Dunklin/Pemiscot J0L0600P	2,047,654.57		Apex Paving Co. Cape Girardeau, MO
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**Call X06**

108 1,490,845.50

Dunklin  
J0L0600A

F

Pemiscot  
J0L0600E

C

Dunklin  
J0L0600H

DD

Pemiscot  
J0L0600J

E

Pemiscot  
J0L0600O

164

Dunklin  
J0L0600QApex Paving Co.  
Cape Girardeau, MO

Total	<u>\$81,919,881.54</u>	<u>\$76,680.14</u>
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\*Funding by City of Jackson \$46,090.80

Construction speed limits conform to the standard work zone speed limits shown on Standard Drawing No. 616.10 as approved by the Commission.

**Authority to Reject Bids**

On behalf of the Director, Dave Nichols, Director of Program Delivery, advised the Commission that bids were received December 16, 2005, for the following projects. He recommended the bids be rejected because they were considered excessive.

<b>Route</b>	<b>County</b>	<b>Project</b>
<b>Call 301</b>		
61	Lincoln	J3P0596C
<b>Call 403</b>		
Bus. 10	Ray	J4L0600H
<b>Call 802</b>		
76	Taney	J8P0824
160	Taney	J8P0825

## **Commission Action**

After consideration and upon motion by Commissioner Michie, seconded by Commissioner Gach, the Commission took the following action.

1. Awarded contracts to the lowest responsive and responsible bidders for bids received on December 16, 2005, as recommended and noted above. The Commission approved the allocation of funds covering the non-contractual costs for these projects as indicated on the above tabulation.
2. Rejected the bids on Calls 301, 403, and 802 for the December 16, 2005, letting.

In keeping with the Commission's Delegation of Authority to Execute Documents, the Director, Chief Engineer, Chief Financial and Administrative Officer, or the Director of Program Delivery may execute the contracts awarded above.

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## **TRANSPORTATION ENHANCEMENT PROGRAM**

On behalf of the Director, Machelles Watkins, Transportation Planning Director, recommended use of federal transportation enhancement funds in an amount not to exceed \$700,000 for the Katy Trailhead Park and Bridge Access project; the total cost of the project is estimated to be \$898,000. The City of Jefferson Parks and Recreation Department and the State of Missouri Office of Administration will provide the required matching funds. Additionally, the State of Missouri Office of Administration will provide the maintenance for this project.

Via approval of the consent agenda, the Commission, by unanimous vote of all members present, approved the recommendation.

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## **MEDICAL AND LIFE INSURANCE PLAN, TRANSPLANT INSURANCE CONTRACT RENEWAL**

On behalf of the Director and the Medical and Life Insurance Plan Board of Trustees, Jeff Padgett, Manager of Employee Benefits, recommended approval of a contract renewal with

International Funding Limited/Strategic Health Development Corporation to provide transplant benefit coverage for the Medical and Life Insurance Plan through December 31, 2006. The proposed increase in premium for calendar year 2006 is 5.4 percent. Total annual cost is estimated to be approximately \$850,000.

Via approval of the consent agenda, the Commission unanimously approved the recommendation and authorized the Chairman of the Medical and Life Insurance Plan Board of Trustees or the MoDOT Chief Financial and Administrative Officer to sign the contract renewal documents, subject to approval as to form by the Chief Counsel's Office.

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#### **CONTRACT EXCEEDING \$200,000, CONCRETE BRIDGE APPROACH REPAIRS**

On behalf of the Director, Jim Carney, State Maintenance Engineer, recommended approval of the contract with Geotech Services, Inc., for providing concrete bridge approach repairs at an anticipated total cost of \$650,000. Actual cost will be determined by actual number of pounds of lifting and sealing material used. This contract will be valid through September 30, 2006.

Via approval of the consent agenda, the Commission unanimously approved the recommendation, and authorized the Director, Chief Engineer, or Director of System Management to execute the contract documents and, at the discretion of those named, to execute two additional one-year contract renewals.

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### **BREAK IN ACCESS, ROUTE 100, ST. LOUIS COUNTY**

On behalf of the Director, Ed Hassinger, District 6 Engineer, recommended approval to execute a Break in Limited Access Agreement with the City of Wildwood to construct a 40-foot wide right-in/right-out only entrance for a city street located at the southerly right of way line opposite Station 397+31.83 on Route 100, St. Louis County. Mr. Hassinger further recommended that compensation for the change be waived due to the city's plans to extend the roadway beyond the development to interconnect with other city streets within three years.

Via approval of the consent agenda, the Commission unanimously approved the recommendations.

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### **EXCHANGE OF PROPERTY, COLUMBIA MAINTENANCE FACILITY, BOONE COUNTY**

On behalf of the Director, Roger Schwartze, District 5 Engineer, recommended a property swap agreement with Broadway Crossings, LLC, Broadway Crossings II, LLC, and RHL Columbia, LP, wherein the parties named would provide the Commission with a new maintenance facility, \$50,000, and construction of the Conley Road extension, in exchange for the 18.72-acre Columbia maintenance lot and improvements located thereon.

Via approval of the consent agenda, the Commission unanimously approved the recommendation.

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**DISPOSAL OF CAPITOL IMPROVEMENT PROPERTY, KAHOKA MAINTENANCE LOT, CLARK COUNTY, EXCESS PARCEL E3-0296**

On behalf of the Director, Kirk Juranas, District 3 Engineer, recommended conveyance of 6.15 acres and improvements located on the east side of Route 81, 0.5 mile north of Route Y and approximately 0.6 mile south of the intersection of Route 81 and Route 136 in Kahoka, Clark County, to Franklin Winters for the consideration of \$111,500. The Commission acquired three acres of the property in 1964 and an additional 3.15 acres in 1974. The property is no longer needed due to a maintenance site consolidation.

Via approval of the consent agenda, the Commission unanimously approved the recommendation.

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**DISPOSAL OF EXCESS PROPERTY, ROUTE 40, JACKSON COUNTY, EXCESS PARCEL NUMBER E4-0452**

On behalf of the Director, Beth Wright, District 4 Engineer, recommended conveyance of a 4.04-acre parcel held in less than fee simple title to the City of Grain Valley for a nominal consideration in exchange for the City of Grain Valley accepting ownership and maintenance of approximately two miles of Route AA. In September 2005 the Commission approved an amendment to the Statewide Transportation Improvement Program allowing \$90,000 to be paid to the City of Grain Valley for improvements to the section of Route AA that will be taken over by the city. MoDOT forces will provide trucks, labor, and striping for the Route AA improvements.

Via approval of the consent agenda, the Commission unanimously approved the recommendation.

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**DISPOSAL OF EXCESS PROPERTY, ROUTE 291, JACKSON COUNTY, EXCESS  
PARCEL NUMBER E4-0029**

On behalf of the Director, Beth Wright, District 4 Engineer, recommended conveyance of a 6.44-acre parcel (Excess Parcel Number E4-0029) acquired for Job No. J4U0566, Route 291, Jackson County, to Limpus Properties, L.L.C., for \$64,400. The parcel is considered to be stand-alone and is held in fee simple title.

Via approval of the consent agenda, the Commission unanimously approved the recommendation.

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**-- REPORTS --**

**MoDOT FINANCIAL REPORT – FISCAL YEAR 2006**

Roberta Broeker, Chief Financial and Administrative Officer, presented the Financial Report for the five months ended November 30, 2005, with budget and prior year comparisons.

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**DESIGN/BRIDGE ENGINEERING CONSULTANTS – AS OF NOVEMBER 30, 2005**

Dave Nichols, Director of Program Delivery, presented the Design/Bridge Engineering Consultants as of November 30, 2005. The report reflects current active consultant work on projects contained in the State Transportation Improvement Program.

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By unanimous vote of all members present, the meeting of the Commission was adjourned.

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